

**Town of Warren
Development Review Board
Findings of Fact and Notice of Decision
Conditional Use Review – Steep Slopes
#2022-10-CU-VR Garcia-Dale**

Application #2022-10-CU-VR submitted by Isaac & Brehon Garcia-Dale plus Anthony & Michelle Pisacano (landowners), are requesting Conditional Use approval for access and a building envelope for the development of a single family residence on a merged lot that will impact steep slopes. A section of the building site is on slopes of 25%. The property, consisting of two lots, #62 & #63, are located on Upper Village Road, parcel ID #'s 210044-000 and 210045-000 in the Sugarbush Village Residential District.

A duly warned hearing was held on Monday **August 1, 2022** and attended by DRB members Chris Behn, Peter Monte (Chair), Virginia Roth and Jeff Schoellkopf. Others present were Ruth Robbins (ZA), Hilary Burditt, Jeff Campbell, Elizabeth Cook, John Davis, Erica Dodge, Isaac Garcia-Dale, Amy Hunter, Timothy Johnson, Brian Kitchens, Bruce Lofgren, Gunnar McCain, Jordan Meranus, Evonne Meranus, John Pitrowiski, Steve Platt, Josh Vogel, Margo Wade (Sugarbush), Carol Chamberlin (Recording Secretary). The hearing was continued to **August 29, 2022** and attended by DRB members Chris Behn, Peter Monte, Chris Noone, Jeff Schoellkopf. Others in attendance were Ruth Robbins (ZA), Evan Fitzgerald, David Frothingham, Timothy Johnson, Gunnar McCain, Heather Platt, Steve Platt, Allison Rogers, David Sellers, Ellen Strauss, Carol Chamberlin (Recording Secretary), Steve and Bobbie Platt, Stacey Weston, Fabio Schulthess, Nathan Bedford, Luman and Jennie Wadhams, Josh Vogel, Cindy Carr, Liz Raddock, David Frothingham, Dave Sellers, Lucy O'Brian and Ellen Strauss.

Findings of Fact and Conclusions of Law:

- 1) The applicant submitted a complete application including a site plan with slope analysis and an erosion control plan prepared by McCain Consulting, Inc. dated 05/31/2022 and updated 8/16/2022 & 8/25/2022, notice to abutters and proof of mailing.
- 2) Mr. McCain stated to the Board that two lots are being merged but that most of the site will still be in excess of 25% slope, indicating the need for a variance for construction of a dwelling. Blasting will be required, but that as much use as possible is being planned for the areas with lesser grade, there will be two very steep sections crossed by the proposed driveway, but that most will be at about 10% grade.
- 3) Stormwater mitigation will be installed prior to tying into existing infrastructure, and all work will comply with the Low Risk Handbook.
- 4) Power will run in the same trench as the septic connection, along the road.
- 5) Ms. Wade pointed out that Sugarbush is more concerned with operational stormwater than with runoff associated with construction. Mr. McCain reported that he has spoken about the stormwater treatment plans with Ms. Wade, and will continue to work with her.
- 6) Mr. McCain stated that no area greater than 2/10 acre are planned to be clear cut.
- 7) The Board found that merging these two lots into one will result in less destruction of steep and very steep slopes than would occur otherwise, and that no access to the more level area exists that does not cross sections of very steep slopes.

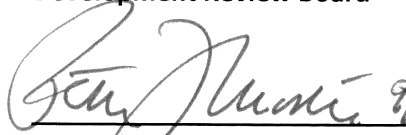
- 8) The Board found that the requirements of Section 3.4 B 2 are satisfied because the site disturbance on steep slopes is necessary in order to facilitate development on slopes less than 25%, and the soil erosion and sediment control plans submitted are adequate. Additionally, the Board found that Section 3.4 D is satisfied by the materials submitted.
- 9) The Board found that the General Standards of Conditional Use Section 5.3 A 1-5 are satisfied by the application materials.
- 10) The Board found that the conditions of Section 9.6 A 1-5 have all been met by the proposed development.

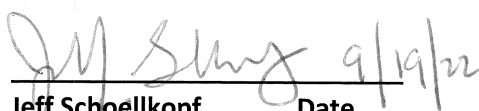
Notice of Decision:

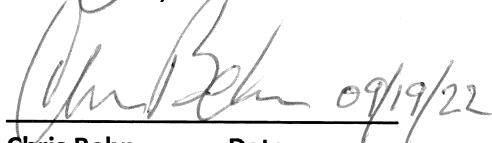
The Development Review Board having reviewed the request for Conditional Use for development on steep slopes with an associated Variance and having made the above findings hereby approves the application subject to the following conditions:

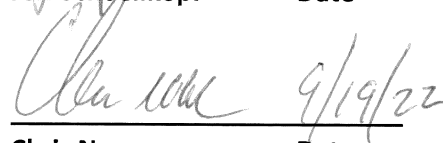
- The proposed development must be constructed in accordance with the plans submitted and approved by the DRB.
- The applicant is also advised to submit a Zoning Application for the construction of this project within 30 days of the execution of this approval unless already submitted.

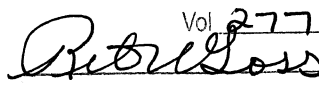
Development Review Board

 9/19/22
Peter Monte, Chair Date

 9/19/22
Jeff Schoellkopf Date

 09/19/22
Chris Behn Date

 9/19/22
Chris Noone Date

TOWN OF WARREN, VT
Received for Record 9/20 2022
at 1 o'clock P M and Received in
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TOWN CLERK
VT Property Transfer Tax Return # _____